

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	<b>MAIL STOP REISSUE</b>
	)	
Frank J. Koch et al.	)	Group Art Unit: 2863
	)	
Application No.: 09/542,640	)	Examiner: Jonathan Charles
	)	Teixeira Moffat
Filed: April 3, 2000	)	
	)	Confirmation No.: 4650
For: COATING THICKNESS GAUGE	)	
	)	
	)	
	)	

**REQUEST FOR REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On November 20, 2008, an Amendment in the above-captioned Reissue patent application was filed electronically in the U.S. Patent and Trademark Office. On that same date, the U.S. Patent and Trademark Office charged Deposit Account No. 02-4800 a total of \$804.00 in excess claim fees (see attached sales receipt). However, no excess claim fees were due.

The attached Patent Application Fee Determination Record shows that the highest number of claims previously paid for is 45, including 6 independent claims. The Office Action of September 30, 2008 correctly listed the pending claims as 1-30, 32, 34-38 and 46-50, which totals 41 claims. Three of these claims, claims 1, 10 and 21, are independent. Two new independent claims were added to the application in the November 20, 2008 Amendment, bringing the total current claim count of this application to 43, with 5 of those claims being independent. As Applicants have already paid for 6 independent claims and a total of 45 claims, no excess claim fees were due on November 20, 2008. It appears the Patent Office did not deduct the

canceled claims of this application from the total number of pending claims listed in the Patent Application Fee Determination Record.

The Patent Office is respectfully requested to refund \$804.00 to Deposit Account No. 02-4800.

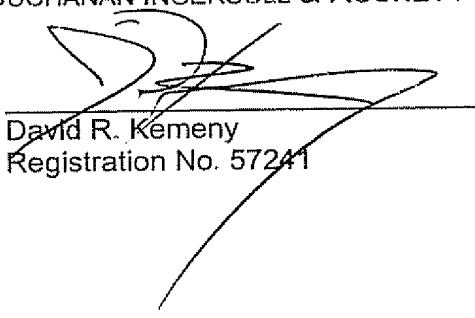
In the event that there are any questions concerning this request, or the application in general, the Office is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: January 22, 2009

By:

  
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